



PUBLIC NOTICE

Federal Communications Commission
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DA 20-122

Released: February 3, 2020

STATES THAT HAVE CERTIFIED THAT THEY REGULATE POLE ATTACHMENTS

WC Docket No. 10-101

The State of West Virginia certifies that it has issued and made effective rules and regulations implementing its regulatory authority over pole attachments in the state, including a specific methodology for such regulation that has been made publicly available in the state.¹ Pursuant to section 1.1405(c) of the Commission's rules, the Commission gives public notice of the receipt of West Virginia's certification.² Certification by a state preempts the Commission from accepting pole attachment complaints under Subpart J of Part 1 of the Commission's rules.³

Also pursuant to section 1.1405(c), the Commission compiles and publishes from time to time a listing of states which have provided certification.⁴ The following states have certified that they regulate the rates, terms, and conditions for pole attachments in their state, and, in so regulating, have the authority to consider and do consider the interests of consumers of the services offered via the attachments, as well as the interests of the consumers of the utility services. Moreover, these states have certified that they have issued and made effective rules and regulations implementing their regulatory authority over pole attachments, including a specific methodology for such regulation which has been made publicly available in the state.

Alaska

Arkansas

California

Connecticut

Delaware

District of Columbia

¹ Letter from Charlotte R. Lane, Chairman, Public Service Commission of West Virginia, to Marlene H. Dortch, Secretary, Federal Communications Commission, WC Docket No. 10-101 (filed Jan. 23, 2020).

² 47 CFR § 1.1405(c).

³ 47 U.S.C. § 224(c); 47 CFR § 1.1405; *but see* 47 CFR § 1.1405(f) (jurisdiction will revert to the Federal Communications Commission unless the state takes final action on a pole attachment complaint (1) within 180 days after the complaint is filed with the state, or (2) within the applicable period established by the state for final action, so long as the period does not extend beyond 360 days after the filing of a complaint with the state).

⁴ 47 CFR § 1.1405(c).

Idaho

Illinois

Kentucky

Louisiana

Maine

Massachusetts

Michigan

New Hampshire

New Jersey

New York

Ohio

Oregon

Utah

Vermont

Washington

West Virginia

This Public Notice supersedes *States That Have Certified That They Regulate Pole Attachments*, WC Docket No. 10-101, Public Notice, 25 FCC Rcd 5541 (2010).

For further information regarding this proceeding, contact Michael Ray, Competition Policy Division, Wireline Competition Bureau, (202) 418-0357 or michael.ray@fcc.gov.

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